

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 5088 of 2007

PETITIONER

Amrit Kumar Tigga, son of Shilvanush Tigga, aged about 45 years, Assistant Woman and Child Development Extension Officer, Rajpur, District Surguja, Chhattisgarh.

Versus

RESPONDENTS

- 1 State of Chhattisgarh, Through Secretary, Department of Woman and Child Welfare and Social Welfare, Dau Kalyan Singh Bhawan, Mantralaya, Raipur, Chhattisgarh.
- 2 Director, Department of Woman and Child Welfare, Sanchanalaya, Raipur, Chhattisgarh.
- 3 Collector, District Surguja, Chhattisgarh.
- 4 District Programme Officer, Department of Woman and Child Welfare, District Surguja, Chhattisgarh.
- 5 District Woman and Child Development Officer, District Surguja, Chhattisgarh.
- 6 Project Officer, Rajpur, Block Rajpur, District Surguja, Chhattisgarh.

**WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA**

Appearance:

Shri K.N. Nande, counsel for the petitioner.

Ku. Sunita Jain, Panel Lawyer, for the State on advance copy.

**ORAL ORDER
(06.09.2007)**

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner, who is presently working on the post of Extension Officer Woman and Child Development, Rajpur, has challenged the validity of his transfer order dated 31.7.2007

(28)

(Annexure-P/1), by which he has been transferred from Project Rajpur, District Surguja to Project Kartala, District Korba on administrative grounds.

Learned counsel for the petitioner argues that it has been mentioned in the transfer order that the order is being issued for Assistant Project Officer, which is a promotional post, whereas the petitioner is an Extension Officer. He also submits that in the last part of endorsement, designation of the petitioner has been shown as *Sahayak Pariyozna Adhikari*, whereas he is not holding the said post. On this ground, he prays for quashing of his transfer order.

This does not appear to be a reasonable ground to interfere with the order of transfer. There may be many reasons for it. It may be that by mistake, the designation of the petitioner has been shown as *Sahayak Pariyozna Adhikari*.

Unless the order of transfer is shown to be vitiated by malafides or passed on extraneous considerations or is against any statutory Rules or the Act, it cannot be interfered by a Court of law, is the settled view of the Apex Court.

I do not find any reason to interfere in the transfer order of the petitioner on this ground. The petition has no merits, the same is dismissed at the motion stage itself.

However, looking to the error pointed out in the order, the petitioner is free to file a representation before the concerned authority, who may clarify the situations accordingly.

Sd/-
Sunil Kumar Sinha
Judge